

MESSAGE FROM

DIRECTOR'S DESK



“Bengal's blueprint
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Institute of Social and Cultural Studies (ISCS) India, over last few months through its ideas and expressions has been devising rigorous efforts to surface the national affairs, regional diversities, Bengal's blueprint in the face of COVID19 as also compiling and analysing surfeit of arguments, views, perspectives and illustrations by diplomats, researchers and civil society actors, demarcating the global demography of post pandemic era.

The Bi-Monthly Bulletin is another spell-binding to captivate attention of vast multi-sectoral readers over Institute's defined narratives, activities and cover stories, documented to unveil the episodes of sabre on socio-cultural identity of Ethnic groups, as also depicting testimonies of treaties wielding India-Pakistan for over 60 years. Analogous to these are the set of essays debating on policies, security angles as well as development diplomacies, steering nation building with self-reliance and self-sufficiency for mutating India to Atmanirvar Bharat.

The team ISCS, hopes that this segment of Bi-Monthly Bulletin too will enrich its readers about the present day situation and forth coming endeavours much precisely yet again.

-Arindam Mukherjee
Director, ISCS India

CONTROVERSY OVER H1B US VISA –AN ANALYSIS

Dr. Asim Pada Chakrabarti*



Currently the US H1B visa has become a subject of great controversy in the Indian -US and in worldwide high tech sector. Let me start from the beginning with the exact definition of the H1B visa. This particular visa falls under the US Immigration and Nationality Act, Section 101(a) (15) (H) that allows US companies to temporarily employ foreign workers in specialty occupation.

The origination is found in overriding a veto by President Harry S. Truman in 1952 when US Congress passed a law under Section 101-15H1. Since then it is known to be the H1. This visa allowed someone from overseas who could temporarily provide services of 'exceptional nature' requiring such merit and ability. But the current H1B visa came into being when President George W. Bush signed the law in 1990. The law created H1A for nurses and H1B for very specialty occupation. The H1A no longer exists. The H1B specialty occupation visa requires at least a Bachelors degree in the specific specialty or proof of his/her professional efficiency in particular field.

At present computer-related occupations constitute 69% of all H1Bs. Architecture and Engineering are distant second. Three – quarters of all H1B visa recipients are from India. This particular visa has become so popular in recent years that 85,000 visas available have usually been filled up in less than a week. At present the annual statutory cap for H1B visas are 65,000 with additional 20,000 visas for foreign professionals who graduated with a Master's degree

or Doctoral degree from a US Institution of higher learning. So, the total number of H1B visas have become 85,000 yearly. The H1B visa allows foreign workers to stay in the US initially for 3 years and later on the holders of that kind of visa can be approved for yearly extension that allows them to live in US for up to six years. Meanwhile, many of them can apply for Green Card and if approved can live in US for indefinite period.

But the current administration of President Trump slowly has started to curb the coming of all kinds of immigrants. Two years ago President Trump signed the Executive Order "Buy Americans and Hire Americans" and even before that he clearly declared his policy "America First". The interest of America will remain his first priority. H1B visa has been a hot topic of discussion across many countries for last two years since President Trump's Executive Order.

The leaders of high tech companies of US and many influential politicians of America with higher or advanced degree in computer and tech fields from India aspiring to work in US as well as the leading IT Consulting Indian companies and even the Government of India were apprehensive since last couple of months about the rumor of tightening laws and regulations that might be enforced by Trump administration to curb the incoming of foreign highly qualified and skilled and all other kind of workers in American job market which is currently in a bad shape due to COVID 19 , slipping global

economic market into lockdowns.

The apprehensive rumor that was floating in air of Washington D.C. and other high tech and business centers in US and around the globe became a reality on Monday June 22 ,2020 when President Trump signed the Executive Order suspending temporarily work visas for H1B holders, This created a great uproar all around USA and among Indians as they would be most hard sufferer of the new situation. Various sources of foreign hiring companies and recruiters have already been complaining about shortfalls in tech talents in US, as a result of that new order. The Wall Street Journal estimates that roughly 525,000 people including 170,000 Green Card holders have been barred from entering the US since April. The Trump administration official called the initiative, as quoted by the Journal, an “American-first recovery” that would potentially open up 500,000 jobs for out of work Americans.

The top ranking high tech computer companies like Microsoft, Apple, Google, Facebook, Amazon etc. openly protested against the new Order as they fear to enter into deep trouble in the highly competitive global market in case of innovation and new programming without H1B visa holding talented and exceptionally skilled professionals. In fact, a major portion of H1B visa holders are essential components in the backbone of the advancement those companies achieved during the last few decades. Anshu Sharma, one CEO of a mid -ranking startup technology group Skyflow said “Banning all H1B visas means CEOs like me have to open offices and hire more people in countries like Canada that allows immigration. This visa ban is morally wrong end economically stupid” This kind of reaction from the head of tech company indicates that due to this visa ban order more and more American company will be forced to relocate their offices in other countries rather than changing their policy to import more numbers of expert professionals from aboard to face new challenges in the coming decades. That will surely result into massive loss in American economy and failure to energize domestic employment situation as the Trump administration hopes to have. In fact, global technology leaders like Tim Cook of Apple and Sundar Pichai of Google and many others came to America for higher studies, settled down in US after getting good jobs and by their own innovative excellence rose to the top position in their companies. Critics of this visa ban Order pointed out that it ultimately would deceive America from having exceptional talents. Mr. Pichai wrote that Trump’s move would hurt innovation and delay recovery of US economy. He felt disappointed by new proclamation and assured that “We’ll continue to stand with immigrants and work to expand opportunity for all.” Mr. Tim Cook of Apple wrote “ like Apple, this nation of immigrants has always found strength in our diversity and hope in the enduring promise of American Dream. There is no new prosperity without both.”

In fact, in 2019 seven of the top ten beneficiaries of the visa grants were US companies such as Google, Apple, Face book that had been hiring Indian engineers aggressively. On the other hand, Indian IT service firms progressively reduced their dependency on the H1B visa and began to explore other international markets.

It is not that the technology executives only coming out against the tighter immigration rules. A large portion of powerful and influential senators from the Republican party also came forward to protest against this visa ban order of President Trump. On May 27, nine Republican senators including South Carolina’s senior senator Lindsey Graham and Texas senator John Cornyn signed a joint letter and sent that to President Trump and pleaded against the rumor of Visa ban. So, there is strong political pressure on President Trump from his own Republican party especially in the face of coming presidential election in November this year. The economically and politically powerful India Lobby in US is all out to oppose new tighter immigration rules. This NRI group of Indians gained immeasurable power and influence on US mainstream politicians and their support and cooperation for any party have been a deciding factor in the general elections in US. Government of India not only expressed displeasure against the new regulations on Immigration field, but also started officially to negotiate with Trump administration for the reconsideration of new laws, asking for an exception for Indian immigrants. We know that the personal relationship between President Trump and Primeminister Narendra Modi is in good humor. Modi must exert his influence and friendliness on Trump to rethink the new situation from the perspective of Indian immigrants .

It is a very crucial time in US politics. The charges of improper handling of COVID 19 pandemic and the disastrous effects of it on social and economic fields resulting in the loss of more than 125,000 lives and couple of hundreds of thousand people infected by virus shook the US economy’s backbone to a great extent raising unemployment to an unprecedented number. The combine effects of these may be reflected in the coming presidential and congressional elections. President Trump is not confident to win in his reelection and the Democratic party as well as US Congress will try their best to recapture White House. The situation is very fluid and anything may happen at any time.

At present, as the talented Indian computer experts need an opportunity to go to America to prove their excellence, America also needs to have talents of Indian computer engineers to maintain their top global position in the field of technological innovation and expertise. The game is now equally balanced in this sphere. India and America need each other to flourish economically and politically. The situation may take a dramatic turn at any moment.

Let us hope that to happen for the better interests for both the countries.



**Chairman, ISCS, India*

XI TARGETS MODI

for not giving in to his whims and fancies

Manash Ghosh*



So far as India is concerned, Xi wants to checkmate its southern giant neighbour from becoming a super power and also emerging as its economic and military counterbalance not only in Asia but the world over. This is why it is pursuing an encirclement plan in India's neighbourhood by building a string of naval ports, network of strategic roads, railways and airports which will be used by its military during peace and at times of war.

Xi's expansionist plan is being openly aided and abetted by India's principal Opposition party, the Indian National Congress (INC), whose top leaders signed a secret memorandum of understanding (MoU) in Beijing with CCP in Xi's presence in 2008 for closer co-operation between the two parties. It also takes huge sums as donation for activities of its various foundations. At the height of the Doklam border standoff, its then Vice-President, Rahul Gandhi, secretly went to the Chinese embassy in Delhi to meet the Chinese ambassador. Despite public pressure, he never disclosed the subject or content of his discussion. But one fallout of that meeting was that he and his mother Sonia Gandhi, desperately tried to scuttle the Rafale fighter deal that India had signed with France by alleging that Modi and his business aides had got large kick backs from France. The Indian Communists, who have always worked as China's fifth column at home, joined the Congress to undermine the deal and desperately tried to scrap it so that this deadly combat aircraft did not join India's arsenal.

Whenever Congress ruled India, right from the days of Jawaharlal Nehru, China was allowed to annex huge chunks of Indian territory without much difficulty. Nehru, in Indian parliament, justified the annexation of 42,000 sq km of Aksai Chin in Ladakh because "not a blade of grass grows there." When the Chinese overran NEFA and were at Tezpur's doorstep, he, in a special radio broadcast bid goodbye to the people of Brahmaputra Valley saying, "my heart goes out to the people of Assam at this hour of their peril."

China benefited not only territorially but also in every possible way whenever Congress was in power. Nehru not only allowed the Chinese annexation of Tibet but also recognized its sovereignty over the region though, his then Home Minister, Vallabhbhai Patel, had warned him that by allowing China to reach India's doorstep "India in future would have serious security problems." But Nehru rejected Patel's comment as "uninformed criticism, as China believed in Lord Buddha's Panchasheel doctrine of peaceful coexistence." How correct Patel was and Nehru was grievously wrong is borne out by the happenings on the Sino-Indian border of last six decades. Nehru was also in two minds to give asylum to Dalai Lama in 1959 as that would irk the Chinese leadership. He, even after granting asylum to His Holiness, was heard privately saying that he would welcome Dalai Lama to leave India and seek asylum in any other country" as China is angry with India for providing refuge to him and his huge retinue" Nehru used to go out of his way to cultivate the Communist

Chinese even at the cost of his own and India's national pride and self-esteem. The Chinese found this as a great weakness in Nehru's character and exploited it to the hilt to its advantage.

During the three crucial years preceding the Chinese aggression of 1962, Jawaharlal stationed his own first cousin R. K. Nehru as India's envoy to Beijing so that his orders for improving India's relation with China were carried out in letter and spirit. Jawaharlal's objective was to put Sino-India relations on a sound friendly footing. But R. K. Nehru's tenure as an envoy was a disaster as he was scorned and pilloried by the Chinese Communist leadership for Nehru's China policy. Despite this, Jawaharlal steadfastly followed the one China policy, though his party colleagues, like Mahabir Tyagi and others and Opposition leaders like Ram Manohar Lohia and H.V. Kamath, wanted India to recognize Taiwan also. But Nehru refused to exercise this option on the ground that Mao-led Communist party government represented the true and real Chinese people and Chiang Kai-shek's Kuomintang party led-Taiwan government was a lackey of American imperialists and a renegade.

The Nehru Gandhi family has always been extremely deferential to the Chinese communist leadership and their sensitivities and has always sought to please and accommodate them in whatever way possible, even at the cost of India's international standing and prestige, national security and territorial integrity. During 1962 Chinese aggression India's state owned ALL India Radio used to broadcast during the evening prime time a very popular programme "India and the Dragon" anchored by India's legendary and much decorated broadcaster Melville De Mellow which dwelt exclusively on Chinese betrayal of India. But China objected to this "highly reprehensible broadcast as it fanned anti China sentiments among Indians". Immediately Nehru told then Information and Broadcasting Minister to take the programme off the air. But when the then Director General of AIR told his Minister and Jawaharlal Nehru that China should do likewise by stopping anti-India broadcasts by Radio Peking he was told to "mind his own business and not complicate matters".

In 1988, when Nehru's grandson Rajiv Gandhi visited China as India's Prime Minister, he was told by the Chinese leadership that India, in her own interest, should desist from building the border

infrastructure in Ladakh and Arunachal Pradesh. On his return home, Rajiv not only ordered the stoppage of construction of border infrastructure in the forward areas but enunciated the ridiculously childish theory that India's best defence against future Chinese aggression lay in not building border infrastructure; he believed that the absence of roads and communication facilities along the LAC would make it difficult for the Chinese to come deep inside the Indian territory. Worse, India's Defence Ministers, including A K Antony, even defended the rationale and soundness of this theory in Parliament. This blunder committed by Rajiv Gandhi subsequently emboldened the Chinese to issue the cheeky and atrocious diktat to the Indian Government that Arunachal Pradesh, which it claimed to be its territory, was a "no go area for Indian leaders, including its President and Prime Minister".

Beijing got angry when Narendra Modi, unlike Nehru, Rajiv Gandhi and Manmohan Singh, refused to be a supplicant Indian Prime Minister and decided to challenge Chinese policies like the Belt and Road Initiative (BRI) and refused to become a member of China-led or sponsored exclusive economic regional groupings. Unlike Nehru, Rajiv and Manmohan, Modi refused to turn India into a pliant state which made him incur Xi's displeasure. What must have irked Xi more was Modi's decision to build border infrastructure, especially in Ladakh, at breakneck speed which was very close to his ambitious BRI projects in Chinese held Tibetan territory and in PoK, through which its \$64 billion-worth China Pakistan Economic Corridor (CPEC) passes.

Beijing thinks that India, by building and strengthening her infrastructure in Ladakh, is posing a serious security threat to its geo-political ambitions in South Asia and the Indian Ocean regions. The Chinese leadership has also grown extremely wary and jealous of Narendra Modi's growing international stature, popularity and prestige. By opening four fronts in Ladakh, they want to punish and humiliate Modi, at home and abroad, just as they did to Nehru in 1962, for not listening to all their dictats. Modi's detractors at home compare him to the Biblical figure David and Xi to Goliath. They say that Modi, by taking on Xi is fighting an unequal battle. But they forget that the puny David with his ordinary homemade sling shot had shot down Goliath.



**Former Editor, Dainik Statesman*

ANDAMAN AND NICOBAR ISLANDS

A FRESH APPROACH

Shakti Sinha*



The inauguration of the Chennai-Port Blair undersea cable by the Prime Minister a month ago was a dream come true for the islanders, who felt deprived and ignored by their fellow countrymen. Having had the good fortune of working in the Andamans & Nicobar Islands for around 5 years scatterdly, spread over three decades, it is clear that there is fresh thinking in New Delhi on the tremendous benefits that these Islands can provide to the nation. The completion of the much-awaited undersea cable and PM's mention of the potential for a transshipment port at Great Nicobar are indications of this changed mind-set. In June 1984, on her last visit to the Islands, Smt Indira Gandhi was specifically asked at a press conference at the Port Blair airport about the potential of declaring Great Nicobar Island as a Free Port. The background was that it was becoming clear that the British would sooner or later hand-over Hong Kong to the Chinese. The Hong Kong Indian community, who had thrived in business, seriously considered locating to India but realised that the then prevailing socialist thinking did not think highly of legitimate ways of achieving economic success. The only way out of the thicket of the strangulation of economic policies would be the creation of a Free Port, or what is now popularly known as FTZ. Great Nicobar's location at the mouth of the Malacca Strait suggested the way out but Smt Gandhi dismissed that. If I recall, she said that Hong Kong succeeded because it had a massive hinterland (China), while Great Nicobar was far away from mainland India. The thought that foreign trade, or re-exports could be niche was lost on her. Therefore, at present, for success India needs to build on these ideas of India as a hub. But the way ahead is not an easy one since it involves a change of mind-set.

There are a few building blocks that must be understood. They point to certain limitations in terms of standard growth strategies, but also suggest alternatives and innovations. Once these are internalised, the potential of these islands seems almost limitless.

First, we have to understand that India's eastern coastline does not run from Kanyakumari to Kolkata via Chennai and Vishakhapatnam. It runs from East Island, off North Andamans to the southern tip of Great Nicobar. The Andaman and Nicobar Islands are not an adjunct to India, but a part of it. Our understanding must be up-graded; the defence of the motherland starts there. These days it has become fashionable to speak of the Islands as India's unsinkable aircraft carrier. However, it must be remembered that aircraft carriers do not operate in isolation but are accompanied by task forces, to both protect them and to enable them to operate at full potential. Similarly, the islands need to be strengthened militarily and economically. From being just a defensive fortress, the islands could be used to project India's power into the South China Sea, e.g. allow quick humanitarian response to disasters, escort Indian shipping if threatened etc. An economically vibrant economy would help to provide resources and supplies necessary for using the islands to project India's power into the Malacca Straits and beyond.

Second, we must creatively use the islands to make them economically vibrant, recognising that over 90% of the islands are forests, and a substantial portion is tribal reserves. The trouble is that by preservation particularly of the tribal population, we think of them as zoos, and not as living beings with agency. The Nicobars are almost completely tribal. Unfortunately, post-Tsunami, we have

made the Nicobari community dependant on the State for almost everything. This has affected their mental and physical health with increased rate of hypertension, high blood pressure, depression and alcoholism. They are otherwise an outgoing people who have produced excellent footballers, cyclists and canoeists who have represented India internationally. Their leaders and youth agree that their Islands can be opened up, to groups of tourists, to begin with. The Nicobar Islands, particularly Car Nicobar, Katchal and Kamorta have not just excellent beaches but some locations are ideal for water sports (Nancowry Harbour) and Golf courses (Kamorta and Katchal). Great Nicobar is the only place in India where surf-riding is possible, and this particular activity can be done without entering a tribal reserve. These are just examples. However, unimaginative application of outdated laws has stifled the development of most tourist facilities even in the non-tribal areas of Andamans. That the tribals have not benefitted from such 'preservation' does not seem to be a consideration to many analysts and policy-makers. We should look for ways by which they can express themselves and see their potential grow.

Third, the importance of the submarine cable cannot be over-emphasized. I remember when I was last posted there (2009-12), the Nicobar district had difficulties accessing MNREGA funds as all reports had to be uploaded electronically. The cell-phone coverage was barely adequate in Port Blair, and non-existent in the Nicobars, since the islands were on the edge of India's satellite footprints. We used to bring data by pen-drives from Car Nicobar to Port Blair and then upload on the website of Ministry of Rural Development. We did plan the submarine cable project then but a lack of in-house capacity both in Port Blair and in government of India delayed the project by almost ten years. The government needs to be congratulated for connecting the islands to the Indian mainland. It can potentially trigger the development of IT-enabled service industry in the Islands. The non-polluted air, blue skies and excellent beaches combined with much improved connectivity can be used to attract IT companies to set up shop in the islands. Electricity and water supply would have to be stepped up, and some steps like the foundation stone of the 50 MW floating Gas turbine power plant at Hopetown are steps in the right direction. Water supply is still an issue, though, and the sooner the South Bay could be converted into a fresh water lake, as is done in the Netherlands, the better it would be. Port Blair would need 1-2 excellent schools and an environmentally sensitive Building Code plan to ensure a high quality of life that is affordable. The excessive use of steel and concrete is an environmental and aesthetic disaster.

Fourth is the need to expedite the transshipment port process, whose complete blueprint was prepared by a team working with me in 2011 and sent to Home Ministry for approval. I had personally explained the project to the then Home Minister, Shri P Chidambaram. Great Nicobar sits at the mouth of the Malacca Straits, making it economically and strategically very important. It is a perfect location for any shipping-related activities. However, we found that the site initially chosen, South Bay at the mouth of the Galathea River, had become unfit post-Tsunami, for any port-related work. The land abutting had sunk, and would require millions of cubic feet of earth to

be imported to try and make it just about functional, besides diverting large forest area. Water depths for a considerable distance into the sea was also inadequate for large ships to come alongside. We came to the conclusion that Campbell Bay, barely 30 kms away, presented a more viable option. Reasonable depths that would enable big ships to operate were available fairly close to the existing breakwater, and adequate land was available that could be diverted for port use. An added benefit was the presence of a small airport, whose runway could be extended to take larger aircrafts. If this port is developed, India's dependence on Colombo, Port Klang and Singapore would be reduced considerably. In fact, a private Hyderabad-based shipper used to use Port Blair harbour as transshipment port for the import of lentils (dal) from Myanmar, but the company went out of business, for different unconnected reasons.

Fifth, would be the need to improve the airport at Diglipur in North Andamans and provide for proper facilities for civilian traffic at the Air Force Station Car Nicobar, besides the lengthening runway at Campbell Bay. Inter-island travel by ship or helicopter is very expensive and slow. A twin-engine sea plane would not only help link nearby tourist spots to Port Blair, but once connected to Diglipur, Mayabunder, Little Andaman, Car Nicobar, Nancowry-Kamorta and Campbell Bay, would be a game changer. Some of this was tried almost ten years ago and was very popular. The government has taken up the construction of two bridges at Middle Strait and Baratang, the completion of which would serve a long-pending demand of the local people. In all these activities, the local society, economy and tourism development would complement each other.

Sixth, the Andaman and Nicobar Command is India's first joint services command, which if properly resourced, would go a long way in not only projecting India's power, but also help ensuring freedom of navigation in these increasingly contested waters. India's ambitions to be a net security provider from Aden to Malacca cannot remain just an ambition. India has to act on it, and give confidence to the littorals that the Law of the Sea would prevail. At present, the Indian armed forces – the Navy, Army, Air Force and the Coast Guard – simply do not have the assets required. Upgradation of infrastructure and accretion of assets have picked up pace, but there is little time to lose, as the Ladakh mis-adventure by the PLA has shown. A strong security presence would also act to boost economic activity, as US bases have shown globally. It would also incentivise investors since they would not feel threatened by a potential deteriorating security situation.

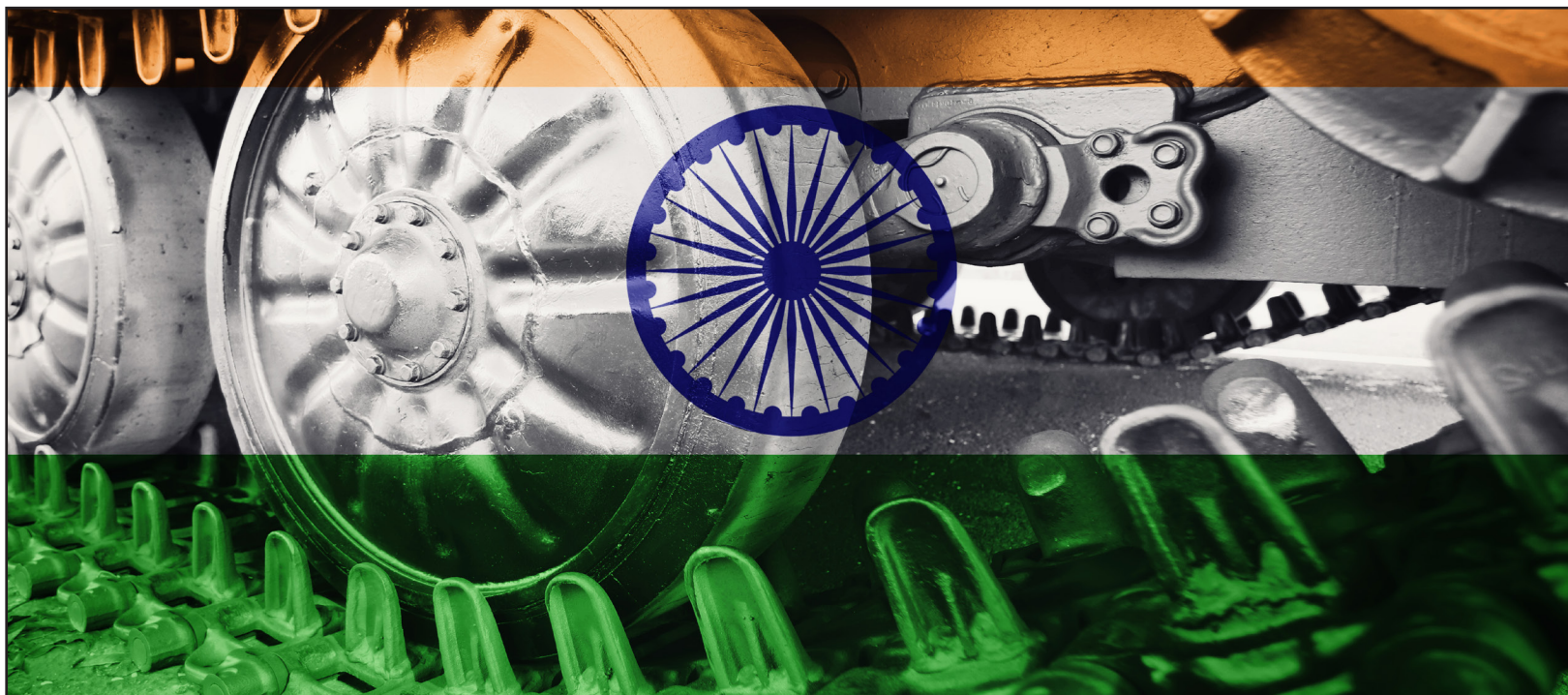
These are just some of the ways the Andaman and Nicobar Islands can become an economic and security hub linking India to South East Asia and beyond. In 1984, India did not act on an idea that was in advance of its time. This time India cannot afford to let its guard down.

The emerging world order seems full of challenges that India has to face, but it also presents many opportunities, like the Andaman and Nicobar Islands. Not acting on these opportunities is not an option anymore.

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INDIA'S QUEST FOR A SELF-RELIANT MILITARY INDUSTRIAL POWER

Deba R Mohanty *



Recorded history suggests that great powers invariably possess formidable indigenous military industries. In addition to economic and technological prowess and a relatively stable socio-political system, states that aspire to play global roles, also need to possess military industrial ecosystems that are free from outside pressures at both war and peace times. Post World War II scenario was dominated by two Super Powers for decades. Rise of China and India with a relative decline of Europe led to an evolving multi-polar configuration. Chinese ascendancy at global stage centered round its impressive economic growth for more than three decades, but what is more important to note is its arduous and determined journey from military import dependency since 1950s till 1990s and again to self-reliance from 2000 onwards. Chinese aggressive behavior in both economic and military domains connotes its deceptive intent – ongoing trade war with US and evolving military situation in India-China border are cited as two prime examples.

For long, India's ideational aspirations to play a constructive global role have not matched the ground reality. At a time when Western arm producers from the US and Western Europe were privatizing their industries, India, much dependent on European suppliers, looked at the opposite direction by nationalizing MSIC since early 1950s. British administered Ordnance Factories (OFs) as well as privately owned Walchand Hirachand (which later became HAL) were all brought under the exclusive ownership of the state. Subsequent entities from scientific institutions like DRDO and MSIC entities like OFs and other defence public sector units (DPSUs) flourished under

government patronage but failed to meet the demands of the armed forces.

War with China in 1962 brought in substantial changes in Indian MSIC, but such changes were not in tune with the basic operating principles of MSICs of democratic countries. Indian MSIC was still dependent on a captive market (Indian armed forces) and under exclusive state control with no maneuverability in international arms market for sustenance. Refusal of transfer of technology by countries like UK and other European suppliers during 1950s and 1960s virtually led India to depend more on Russians, who became a prime supplier since mid-1960s. What was more disturbing was that neither suppliers were willing to part with technological knowledge nor Indian MSIC could develop technologies indigenously. The net result was considerable import dependency, a problem that continues till date. An aspiring global power with import dependency is a contradiction in itself.

It was hoped that after Kargil conflict, India would wake up. It did, but lost the way again. At least a dozen high powered committees were formed in a span of 14 years – starting from Subrahmanyam Committee in 1999 to Dhirendra Singh Committee in 2014. Nine rounds of reviews were made on the Defence Procurement Procedure (DPP) during the same period. In between, reforms on defence offsets, offsets banking were made, also a Defence Production Policy came out in 2011. Despite best efforts, Indian MSIC did not produce desirable results.

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It was only when the NDA government assumed power under the leadership of Narendra Modi in 2014 that India has seen a series of reformative attempts in a determined manner. Unlike previous attempts, these reform initiatives denote state will, decisive attempts, serious deliberations followed by prudent implementation. Consider these: a) faster clearances of pending arms acquisitions were made during the tenure of all successive defence ministers – from Arun Jaitley to Rajnath Singh; a total of INR1,80,000crore has already been allocated to different proposals with an intent on another INR 1,30,000 crore to be allocated for the next three years; b) serious attempts were made during the tenure of late Manohar Parrikar for comprehensive reforms under the chairmanship of Lt Gen (retd.) D B Shekhatkar, who submitted his report in 2017; since 2017, a series of attempts have already been made to implement the recommendations made; c) attempts have been made to define and implement a Strategic Partnership model for involving Indian large private companies in high-tech and large defence projects; d) in addition to encouraging the MSMEs, the government has already started two ambitious defence industrial corridor projects

in Uttar Pradesh and Tamil Nadu respectively, with half a dozen defence manufacturing clusters across the country; e) a new draft defence production policy is being fine tuned for a declared intent on India's MSIC transformation; f) there is a substantial increase in the percentage of private sector involvement in defence projects; g) periodic performance and security audits are taking place, especially after the terror attacks in Pathankot; and last but not the least h) creation of the position of Chief of Defence Staff (CDS) to provide single point military advice to the government, apart from several organizational changes within the higher defence management sector.

A definitive indicator of seriousness on the part of the government is its determination to pursue reforms amid pandemic times. Apart from the PM's national call for Digital India, Make in India and many other such calls, Modi has announced Atmanirbhar Bharat movement during the ongoing pandemic. Further more indication is related to announcements like corporatization of Ordnance Factories (OFs) and Negative Import List (for 101 items) for encouraging the indigenous industries to participate in more than a hundred different defence manufacturing projects. Government owned testing facilities have been opened up for private sector. Recently, two major defence projects that were selected for acquisition from abroad, have been considered for award to Indian companies. Prime Minister has declared that India can be a reliable arms exporter, setting a target of USD 26 billion value creation for Indian defence sector by 2025 and USD 1 billion for exports.

In terms of announcements and actions, Modi government's intent has surpassed all previous governments. All these announcements and initiatives would obviously take time for visible results. Transformation of Indian MSIC would require state will, complementary executing mechanisms, a defined direction, effective and enthusiastic participation from the stakeholders and deployment of scientific, industrial and financial resources. State will is clearly visible from definitive announcements coming from top political and military leaderships. Definitive direction – Atmanirbhar Bharat in defence sector – has been laid out. Implementing mechanisms are being tweaked periodically toward result orientation. Cautious optimism is seen coming from the private sector. All these are good signs, to say the least.

Cumulative reforms undertaken in Indian MSIC in the past six years – both in terms of current and future announcements, ongoing reform initiatives and faster execution – point toward realization of the larger strategic goal of making India Atmanirbhar in all aspects of nation building process. Modi's call and his consistent emphasis on making India a strong military power even during difficult pandemic times show formidable signs of a state will that not only gives primacy to welfare of the citizens but also does not neglect sectors like national defence and security. Ambitious announcements are also embedded in gigantic structural problems that India has long been suffering from.

If the state-will prevails, all such problems and complexities can fall in line. Great powers' primary strength is state-will, India's should not falter, it is hoped.

**A strategic affairs analyst*

ETHNIC FISSURES AND STATE RESPONSES OF PAKISTAN: AN OVERVIEW

Dr. Rimli Basu *

The INSTITUTE OF SOCIAL AND CULTURAL STUDIES, INDIA has organized an International webinar on “ETHNIC FISSURES AND STATE RESPONSES OF PAKISTAN: AN OVERVIEW” was held on Friday, 14 August, 2020 between 6.00- 7.30 PM on the digital platform of Google Meet. Speakers of the Webinar were , a] Mr. Sardar Shaukat Ali Kashmiri, Chairman, United Kashmir People’s national party [UKPNP], Switzerland; b] Prof. Naela Quadri Baloch, President, World Baloch Women’s Forum, Canada; c] Mr. Baseer Naweed, Executive Director, The International Human Rights Council [IHRC-HK]; d] Justice A H M Shamsuddin Chowdhury Manik, Former Justice, Supreme Court of Bangladesh, Bangladesh; e] Dr. Hidayatullah Bhutto, UK, Europe Organiser, World Sindhi Congress [WSC], UK.

In his speech Sardar Shaukat Ali Kashmiri focussed on six to seven points. However, he diverted his speech and highlighted the political fault-lines regarding the partition of India. He admitted that commenting on this issue is quite complicated as the response of Pakistan since 1947 to the ethnic groups is quite controversial. He stated that he would state six , seven points and share his own experience when he was in Pakistan and Pakistani Occupied Kashmir. He draw attention to the incident of United States of America and Russia inviting the Prime Minister of Pakistan. He stated that according to the historians it was the Britishers who planned to create a state which will be buffer to the interest of Great Britain and will be the frontline state against the Soviet Union and of course India. He stated that the Muslim League came into existence in 1905 , but at that time the Muslim League prime agenda was not to create a new state for the Muslims. He blamed the great game of great Britain which unfortunately after 1940 , was looking all those areas which is strategically important for becoming their allies. Of course, he argued that the Indian National Congress was an anti-Imperialist , progressive organization ,which believed in non-alignment and was not ready to play any kind of role which suite Great Britain or other countries like the United States. Hence, Great Britain focused on Muslim League and the Muslim League demanded a new country. He argued that Muslim league did not believe in the fair competition of democracy, and hence propagated that under the frame of British India, the rights of the Muslims would not be protected, because the majority of the population in undivided India would be Hindu. Therefore, they created the two nation theory, which was based on religion. He stated that the Muslim League demanded that the

International Webinar
On

**ETHNIC FISSURES &
STATE RESPONSES OF
PAKISTAN: AN OVERVIEW**

**AUGUST 14, 2020 (FRIDAY)
6.00-7.30 PM (IST)**



**INSTITUTE OF SOCIAL AND
CULTURAL STUDIES, INDIA**

SPEAKERS

Sardar Shaukat Ali Kashmiri
Chairman, United Kashmir People's
National Party (UKPNP), Switzerland

Prof. Naela Quadri Baloch
President, World Baloch
Women's Forum, Canada

Mr. Baseer Naweed
Executive Director, The International
Human Rights Council (IHRC-HK)
Hong Kong

Justice A H M Shamsuddin Chowdhury Manik
Former Justice, Supreme Court
of Bangladesh, Bangladesh

Dr. Hidayatullah Bhutto
UK, Europe Organiser, World Sindhi
Congress (WSC), UK

MODERATOR

Mr. Rana Banerji
Distinguished Fellow,
Institute for Peace & Conflict Studies (IPCS),
New Delhi, India

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Muslim majority areas should become part of Pakistan. At that time in 1947, the present Bangladesh was East Pakistan and in the West Pakistan there were four provinces, viz., Baluchistan, Sindh, Punjab and NWFP. In 1954 Pakistan declared one unit means the East Pakistan and the West Pakistan . He again went back to explain the Two Nation Theory which is and stated that the creators of Pakistani still did not define what is two nation theory . He stated that according to his experience in Pakistan, there is no recognition of any nation and denied the culture, language. He stated that , because of that reason, the Bengali people revolted against the imposition of Urdu

and finally got their independence from Pakistan. He stated that the Bengali people are fortunate that they are now living independently from Pakistan in their own country called Bangladesh and their founding father was Sheikh Mujibur Rahman, who was not only progressive, but also a secular and democratic person. He stated that in West Pakistan, however, the case was different and there are still cases of worst kind of persecution. That is why the Baloch people are fighting for their own identity, for their own culture, for their own language and Sindhi people are facing persecution. He argued that thousands of people from different nationalities, eg, the Baloch, the Pashtuns, the Sindhi, are all facing solitary confinement. Pakistani intelligence agencies are kidnapping them and sending them to illegal detention and the Pakistani Court they are unable to produce and provide any kind of remedy to the victims, he added. He also submitted that he himself was also kidnapped twice by the Pakistani intelligence agency, ISI. As an attorney at law, he stated that he has always emphasized the rule of law, independence of the judiciary, legal control over agencies, Pakistani soil should not be used as a launching pad for terrorist activities and all the terrorist infrastructure should be dismantled. He argued that although under the world pressure, Pakistan somehow declared there is no infrastructure or terrorist organization, but all indigenous people of Pakistan knows that there are several organizations which are operating in POK and Gilgit- Baltistan, which are extremists/militant organization and the Government of Pakistan is funding them and supporting them and providing them with shelters. He stated that the local people are always protesting against the illegal activities but it is the top priority of the Pakistani policy; it is their designs to use these areas for the terrorist activities and launching pads. He clearly stated that the people of POK are compromised under the Act, 1974 which is the rule for Azad Kashmir or Pakistan occupied Kashmir. He stated that the Act 1974 force the people of POK not to declare themselves as Kashmiri, but as Pakistani. He elaborated that the freedom of expression have been completely compromised under section 7, sub section 2 of that Act. He declared that on the one hand Pakistan is claiming and declaring that the whole state of Jammu and Kashmir is a disputed territory, but under her occupation, installed governments, the people of Gilgit- Baltistan and people of Azad Kashmir always take oath and show loyalty with Pakistan. He stated that no Kashmiri can take part in the election, who does not believe the two nation theory. So, he argued that there is a clear double standard of the Government of Pakistan. He invited the world audience to think about the assassination of a popular prime minister, hanging and force exile of other two prime ministers, about assassination of another prime minister through private militia. He stated that the Government of Pakistan only exploit and motivate the religious sentiment of the people, and at present the whole of Pakistan is full of people who are full of these communal minded people. He finally concluded that the world should try to find the answer as to why Pakistan refused to visit USSR and preferred to visit USA. He concluded by stating some factors / points.

They are – a] Pakistan was thrown into the camp of USA and became a front line state against communism and India; b] Pakistan took up the role of a buffer zone between India and USSR. c] denial of national rights, making Urdu the national language and humiliating different national languages are all part of Pakistani policy. d] refusing provincial autonomy, making martial law as the legal government is another policy of the Government of Pakistan. e] wars with India, armed interference and terrorism is also another policy of the Government of Pakistan. f] Nexus between Judiciary and army which converted Pakistan into a theocratic state.

The next speaker was Naela Kaderi Baloch. She argued that to understand the failure of Pakistan as a nation we need to look into its creation, its constitution and its governance. In a nutshell Naela Kaderi Baloch argued that in the present context the Pakistani army surrenders to US as a result of the shift in global powers and keeps controlling all the institutions of the state, judiciary and administration, media and the parliament, sometimes behind the thin curtain but most of the times directly as martial law in Pakistan. She argued that the country is a failed state, which was assisted by China in exchange of the gold mines and nuclear testing grounds in Baluchistan. She argued that the Soviet entrance in Afghanistan in fact worked as a ventilators for this failed state, because it saw showering of dollars from USA, which made the army generals billionaires, but the country drowned into drugs, arms and recession. She argued that there is absolute denial of rights. She stated that a particular sect is dominant and the converted Punjabi Muslims of a specific sect actually dominates through violence, who made Sindhi's or Sindhi-Mujairs., Pashtuns, Kashmiri's, Gilgit-Baltistani's, as prisoners who are observing the plunder of their natural resources.

She argued that there is no ideology around the creation of Pakistan, there cannot be a country based on religion, hence they need an enemy; they need India as an enemy, they need Afghanistan as an enemy. She stated that they are totally denying the rights of the nations to all those who are living in Pakistan. She argued that it is karma which is taking its cycle- those who supported the ideology of Pakistan, whoever supported the creation of Pakistan it's a Karma that they have all gone through and all of them got their consequences.

She argued that Pakistan and Baluchistan signed a standstill agreement on August 11, 1947, through which the sovereignty of Baluchistan went to Pakistan, and on 1948 27 March Baluchistan became part of Pakistan. She argued that Baluchistan was not a direct British colony, and was independent for last 700 hundred years. we were an independent country. She stated that the Baluch sovereignty was accepted by Pakistan, as it was on lease. She argued that the Britishers left the McMahon line as a conflict and the parties to decide- that gave the opportunity to Pakistan to completely engulf Baluchistan by step by step. She stated about the famous

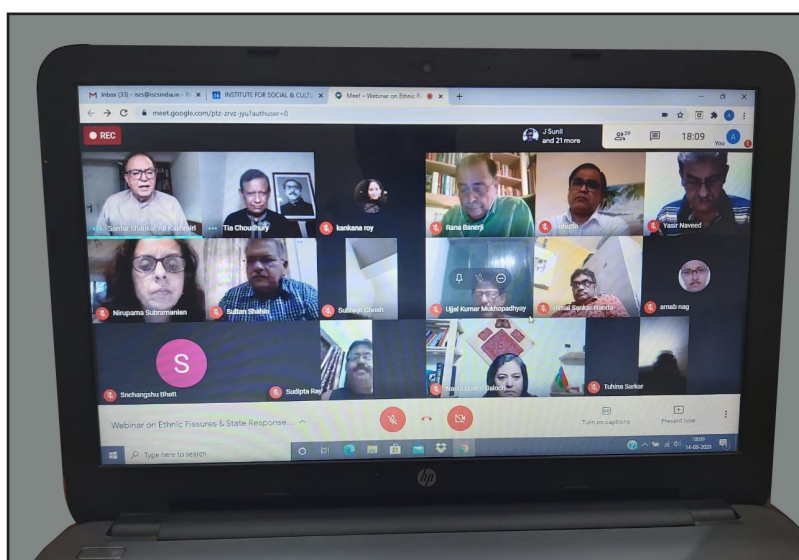
speech of Mir Ghos Bux Bizenjo ,leader of the house of commons of Baluchistan and the party Kalat State National Party, who stated that religion cannot be a base for making any country because there are many country who are having same religion. She stated that in that speech he argued that we cannot live our thousands of years civilization and national identity and so unanimously the parliament of Baluchistan house of commons and house of lords they rejected the bill and then Pakistan carried out military invasion on March 27 , 1948 and from that day till today Balochs are in a war of independence against Pakistan. She argued that there cannot be Pakistan as a state , there is no Pakistan as an identity because people cannot live their thousands of years of identity for an artificial state. She gave a clarion call to the people of South Asia to create a new social contract and live in peace. She accused India and Bangladesh of leaving the Baloch freedom fighters to fight on their own. She finally ended her argument by stating that in Pakistan there is only one institution working and that is military, that institution is free to do anything, free to do genocide , free to do real estate business, free to selling eggs , cereals , they are like a state inside a state. She finally stated that this artificial state of Pakistan is now supported by America and now China is colonizing it.

The next speaker was Baseer Naveed. He argued that the two nation theory as the basis ideology of Pakistan was a historic mistake because it has resulted in the discontinuation of the Pakistanis with the history , culture and the civilization. He stated that that is why Pakistani people are misguided people, who can hate anybody , any country, anything. He argued that in the whole region Pakistan can create enemies. He also stated that this two nation theory also gives total impunity to Pakistan over its people. He argued that along with impunity Pakistan also follows the policy of appeasement for the fundamentalists , terrorists and to those forces which create unrest. He stated that 3 things are created ; a] the victim card or victimhoodship , b]impunity, c] the policy of appeasement. He argued when Jinnah's speech was censored, it gave a clear message that two nation theory and freedom of expression cannot go together. He stated that the two nation theory does not accept any other religious groups. He argued that Jinnah was the first supporter of

cross border terrorism, because he send forces to Kashmir , to Baramulla, which witnessed killing , molestation, rape, etc, which became the hallmark of the Pakistani military. He argued that Jinnah did the same thing in Baluchistan, which was not a part of Pakistan. Currently, he stated that the same attitude of the Pakistani army is seen against Sind , Baluchistan, KPK area. He gave two examples, 1] Pakistan signing the SEATO treaty, and 2] Pakistan signing the CENTO treaty, which shows that, Pakistan wants to disassociate herself from history , culture and civilization of the whole area. He argued that Pakistan is also a pluralist state but denied the ethnic culture , diversity , rights of self-determination by imposing military rule; Pakistan was forced to become a theocratic state and Urdu was imposed by Jinnah himself, which was not a language of the region. He argued that It is against to deny the local people their right to local language and culture, right of self-determination of the Kashmiris, self determination of the Sindhis , Balochi's and the Pashtuns. He argued that there is a nexus between the military and the judiciary, which shows that there is no democratic form of government. He finally concluded that like India there is no land ceiling in Pakistan, Pakistani army is the biggest land grabbers , which also runs the commercial industrial units.

The next speaker was Dr.Hidayatullah Bhutto. His argument in a nutshell is that he proposed to make Pakistan a real state a multinational country, in which all five nations should constitutionally be granted the natural rights of self-determination along with the power of secession such right is enshrined in all charter of United Nation . He stated that in recent history in other parts of the world such practices has proven to bring peace and prosperity to the very volatile region, having Pakistan recognized the rights to self-determination to its constituents national will create a peaceful non-confrontational state, which more likely have to be peaceful with India , Afghanistan make secular nation Sindh , Baluchistan as a sovereign state leading to peaceful South Asia.

The last speaker was Justice Shamsuddin Chowdhury. He argued that Pakistan is a failed state , economically it is bankrupted so bankrupted that it is selling its mining rights to China . He stated that a very leading member of the Pakistan senate recently said that China is the new East India company and it is also capturing lots of Pakistani areas and Pakistan because it is economically bankrupted is selling parts of Pakistan to China . He argued that Pakistan is an internationally condemned country, it is now recognized that Pakistan is exporting terrorism to India. The Bombay attack was orchestrated by Pakistan and now it is judiciously proved too.



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60 YEARS OF INDUS WATER TREATY

AN OVERVIEW

Snehangshu Bhattacharjee *



Since time immemorial trans- boundary water disputes have been a part of human civilization, such disputes have seen both conflict and cooperation. South Asia for long has been an epicenter of trans-boundary water dispute. With the increase of population, rapid urbanization , expansion of agriculture and change of climate, demand for fresh water has grown up rapidly in this region. This competing demand for fresh water has generated an intricate water dispute in this region.

Though there are many trans-boundary water disputation in several countries of South Asia, Indus water dispute deserves special mention as because it portrays a significant case study of how shared rivers can become a source of conflict and cooperation.

The Indus river originates in the Tibetan plateau and thereafter along with its tributaries flows southwards crossing Khyber Pakhtunkhwa, Punjab and Sindh provinces finally drains into the Arabian Sea. The river basin is divided amongst Pakistan, India, Afghanistan and China.

The disputation of Indus water began long before India got partitioned . Initially it emerged as an inter-provincial difference between Punjab, Sind and the princely states of Bahawalpur and Bikaner. Negotiation on the proper management of Indus water started as early as 1919, when a tripartite agreement between Punjab , Bikaner and Bahawalpur was signed . This agreement paved the way for sanction and construction of the Sutlej Valley

project. However interestingly the agreement did not specify any right of the downstream Indus riparian's of Kharipur State and Sind.

During the 1920's and 30's contestation between the province of Sind and Punjab over the sharing of Indus river water gained momentum forcing the government to appoint the "The Indus Committee " under the chairmanship of F. Anderson in 1935.

In 1939 there was an instance where Sind had formally complained the Governor – General of India about a project initiated by Punjab. To redress this problem, the British – Indian government appointed a special commission with quasi judicial powers comprising of two engineers and headed by Justice B.N. Rau in September 1941. The commission presented its report to the government in July 1942. In 1945 both Sind and Punjab tried to reconcile their differences by signing an agreement over the water distribution of the Indus tributaries.

After the partition of Indian subcontinent and creation of Pakistan, the Indus water dispute transformed into an international dispute because the British drew the political boundary between the two countries crisscrossing the Indus Basin , leaving India the upstream and Pakistan the downstream riparian of the five rivers in the Indus system.

The partition accord did not specify any mechanism for sharing Indus river water between the two nations. To redress the legal vacuum created by the partition both India and Pakistan signed a

standstill agreement on 20th December, 1947 which provided a temporary bilateral water sharing mechanism which would remain effective until 31st March, 1948. However after the agreement expired no initiative was taken to renegotiate the agreement. It was when India on 1st April, 1948, discontinued the water supply to Pakistan that a serious water dispute broke out between the two antithetical nations. Following this climacteric both the nations inlaid themselves in a comprehensive conversation during the Inter- Dominion conference held in New Delhi between the 3rd and 4th of May, 1948. The discourse resulted in the signature of a new bilateral agreement on 4th May 1948 which tried to resolve the water dispute to a certain extent. However differences arose between the two nations regarding the interpretation of the agreement which ultimately resulted in Pakistan's formal denouncement of the agreement in 1950.

Soon thereafter Pakistan proposed that the issue be submitted to the International Court of Justice or the United Nations Security Council but India categorically rejected third- party involvement in dispute resolution and urged that the Inter- Dominion Agreement be made permanent. The stalemate came to an end when World Bank came forward to mediate the Indus water dispute between India and Pakistan. From the end months of 1952 under the supervision of the World Bank both sides sat to discuss the issue. After long years of intense dialogue and negotiation on 19th September, 1960 the Indus Water Treaty was signed at Karachi by field Marshall Mohammad Ayub Khan, the then President of Pakistan and Mr. Jawaharlal Nehru, then Prime Minister of India. For the purpose of some specific articles, Sir W.A.B. Iliff of the World Bank also became a signatory.


The Indus Water Treaty of 1960 categorized Indus and its six tributaries into two groups, eastern rivers and the western rivers. The eastern rivers included Sutlej, Beas, Ravi and the western rivers included Jhelum, Chenab and Indus.

According to treaty, all the waters of the Eastern Rivers would be available for unrestricted use in India, except for domestic and non-consumptive uses, Pakistan would be under an obligation to let flow, and would not permit any interference with the waters of the Sutlej main and Ravi main in the reaches where these rivers flow in Pakistan and have not yet finally crossed into Pakistan. The treaty also added that all the waters, while flowing in Pakistan, if any, tributary which, in its natural course, joined the Sutlej main or the Ravi main after these rivers have finally crossed into Pakistan would be available for the unrestricted use of Pakistan.


The treaty also stated, that Pakistan would receive for unrestricted use all those waters of the Western Rivers. However, India would be under an obligation to let flow all the waters of the Western Rivers, and would not permit any interference with these waters, except for domestic use, non-consumptive use, Agricultural use and generation of hydro electric power.

According to the treaty as a part of the dispute resolution mechanism a permanent Indus Commission was set up to

implement and manage the treaty. The permanent Indus Commission comprised one Commissioner as representative of each country. It was agreed that the Commission created would meet regularly at least once a year alternately in India and Pakistan. The treaty clearly stipulated that any question which would arise between the parties concerning the interpretation or application of the treaty would first be examined by the Commission. If the Commission failed in reaching an agreement, on the request of the either Commissioner



INSTITUTE OF SOCIAL AND CULTURAL STUDIES, INDIA



Indus Commission Logo

COEVAL DISCOURSE V

International Webinar on
60 YEARS OF
INDUS WATERS TREATY:
AN OVERVIEW

MODERATOR
Dr. Uttam Sinha
Fellow, Manohar Parrikar Institute for
Defence Studies and Analyses, India

GUEST OF HONOUR
Mr. Gautam De
Regional Director, RTC, ICCR, Kolkata

SPEAKERS
Dr Arvind Gupta
Director, Vivekananda International Foundation, New Delhi, India
Dr Dharam Vir Thareja
Former Commissioner, Central Water Commission, Ministry of Jal Shakti,
Department of Water Resources, GOI
Dr. Rashid Aftab
Director, Riphah Institute of Public Policy, Riphah International University,
Islamabad, Pakistan
Prof. Shakil Ahmad Romshoo
Professor and Dean for Research, University of Kashmir, Srinagar, India
Mr. Sanjay Gupta
Strategy & Policy Advisor (Consultant), South and Central Asia,
World Bank, Bill & Melinda Gates Foundation, Asian Development Bank

SEPT 19, 2020
5.30-7.00 PM (IST)
5.00-6.30 (PKT)

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the difference would be dealt by a neutral expert; if the neutral expert informed the Commission that the difference would be treated as a dispute, then a court of arbitration would be established to resolve the disagreement.

Appreciated by the international community as a good example of water conflict management, which not only ended the long standing bilateral water dispute but withstood the acrimonious relationship between the two nations for decades. However there had been common opinion in both the countries which stated that the distribution of water under the treaty was unfair.

Four major disputes had surfaced since the signing of the Indus Waters Treaty in 1960, namely the Salal, Wullar, Baglihar and, Kishenganga hydro project. The last three projects mentioned above, were not only enduring but had been responsible for diplomatic deadlock between India and Pakistan.

Much had changed since the treaty was signed in 1960, rapid demographic growth, climate change, expansion of agriculture is putting greater stress on the Indus and the treaty that governs its use. Experts opined that the treaty had failed to cater the changing social, cultural, technical and environmental issues and added that how too many engineering provisions in the agreement gave Pakistan undue advantage to veto and delay Indian construction projects on the western Indus tributaries. It is important to note here that the State of Jammu & Kashmir, though not a signatory but an important stakeholder, was also unhappy with it and blamed the Treaty for its economic woes. In fact, in 2002 a resolution was passed in the J&K State Legislative Assembly, seeking review of the treaty.

Though the revision of the accord seems to be a necessity, yet co-operation between Pakistan and India regarding rivers water is severely limited due to the history of rivalry, trust deficit, policy priority by leadership and lack of institutional dialogue and compromise.

After the terrorist attack in Uri, hydro politics between India and Pakistan got further complicated as Indian government decided to suspend all bilateral talks on Indus water in laid r dispute and formed an inter ministerial taskforce to review the accord and clearly exhibited its intention to maximize the utilization of the water flowing through the western tributaries of Indus by building dams, canals and reservoir.

In the context of this present complicated hydro-political scenario between India and Pakistan, Institute of Social and Cultural Studies on the eve of the 60th anniversary of the Indus Water Treaty organized a webinar titled “60 Years of Indus Water Treaty: An Overview”. Moderated by Dr. Uttam Sinha, Fellow, Manohor Parrikar Institute for Defence Studies and Analysis, India it consisted a panel of distinguished speaker like Dr. Arvind Gupta, Director, Vivekananda International Foundation, New Delhi, India, Dr. Dharam Vir Thareja, Former Commissioner, Central Water Commission, Ministry of Jal Shakti, Department of Water resources, Government of India, Dr. Rashid Aftab, Director, Riphah Institute of Public Policy, Riphah International University, Islamabad, Pakistan, Prof. Shakil Ahmad

Romshoo, Professor and Dean for Research, University of Kashmir, Srinagar, India, Mr. Sanjay Gupta, Strategy & Policy Advisor, South and Central Asia, World Bank, Bill & Melinda Gates Foundation, Asian Development Bank.

The guest of honour for this webinar Sri Gautam Dey, regional director RTC ICCR, in his introductory note termed the Indus Water treaty as a successful example of peaceful conflict resolution and hoped that both India and Pakistan would resolve their other outstanding bilateral dispute in a similar manner.

The moderator of the webinar Dr. Sinha in his opening deliberation discussed briefly about the history and the provision of the treaty and raised a fundamental question of whether contentious politics between the two nations would have an impact over the sustainability of the treaty in the near future.

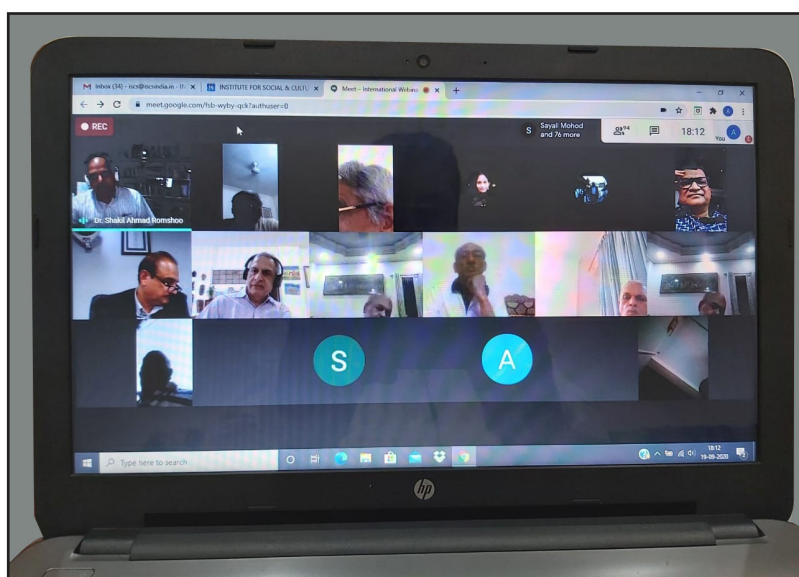
Dr. Thareja in his presentation by analyzing several provisions of the Indus Water Treaty explained why still Indus water distribution remained a major contentious issue between India and Pakistan. He revealed how lack of wider wisdom between both India and Pakistan created hindrance towards a successful resolution of the Indus water dispute by citing the example of the disputation that arose during the construction of the Salal, Baglihar and Kishenganga hydro project.

Dr. Aftab in his deliberation projecting the Indus Water Dispute as a multinational issue pointed out the limitation of the treaty to cope up with the changing situation and stressed the necessity to perceive the socio- economic, political factors related with the Indus water dispute meaningfully. He added that a joint institution for mutual cooperation would be set up to understand such dispute and suggested that both the countries by following the principle of water rationality, efficient basin management and effective sharing of water data could resolve the longstanding water disputation.

Mr. Sanjay Gupta's critical estimation showed how the socio economic and ecological aspects of the region remained unaddressed in this treaty. He opined that the emendation of the accord would be based on sound scientific knowledge and must be conducted in a politically conducive environment.

Dr. Arvind Gupta like several other panelists portraying the ineffectiveness of the treaty in dealing with the contemporary challenges opined that the present politically hostile environment between the two nations would ultimately pave the way for the abrogation of the accord.

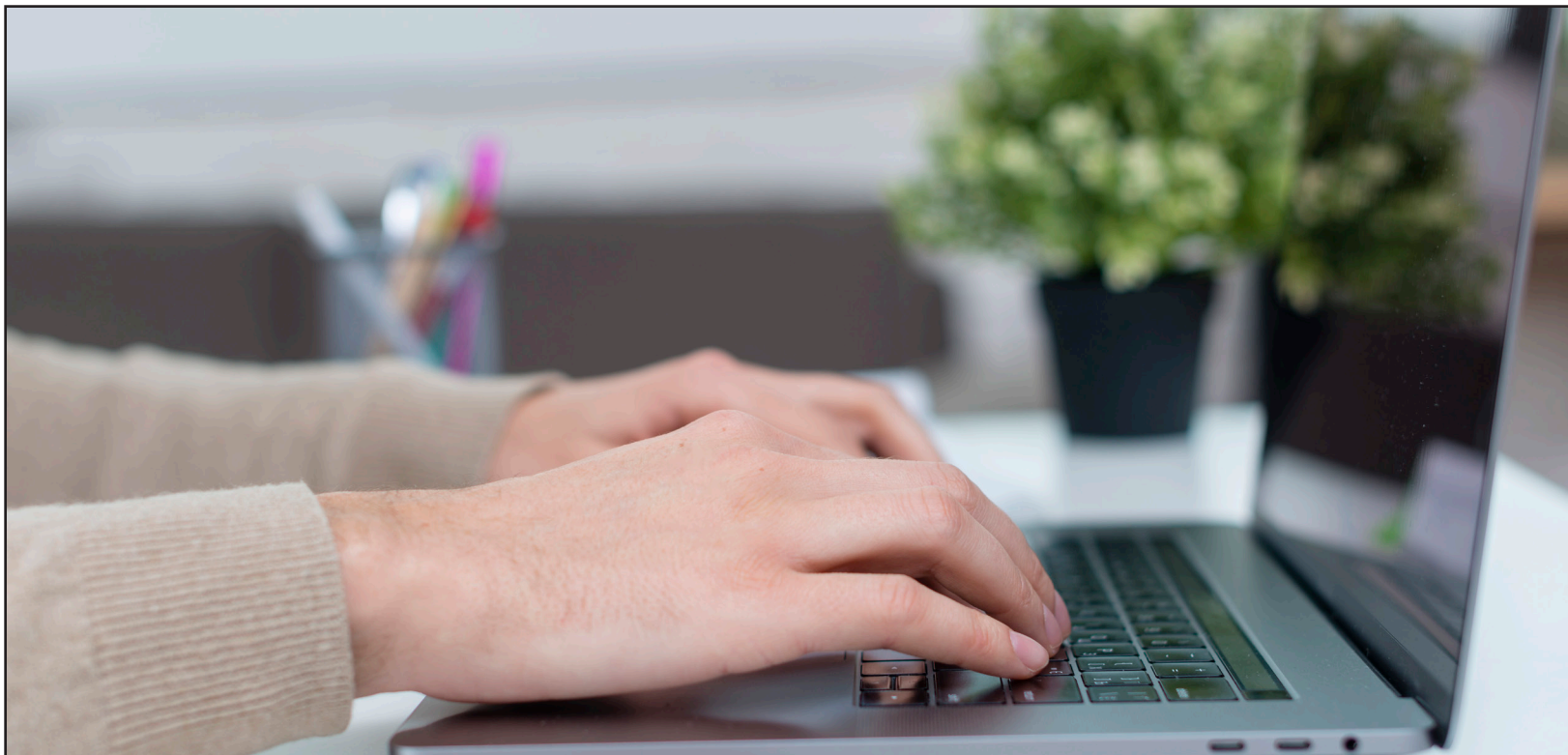
The meaningful deliberation of the distinguished speakers present in the webinar showed why necessary reforms in the Indus water accord was indispensable by portraying the ineffectiveness of the treaty in dealing with the new emerging issues.



**Research Associate, Institute of Social and Cultural Studies India*

A CONSOLIDATION OF VIRTUAL DISQUISITION

(August-2020)



Institute of Social and Cultural Studies has been revisiting chronicles, social frameworks and contemporary templates through multitude of activities and initiatives. In the process of transpiring the ideas into expression, Institute has been privileged to receive support and encouragement from Ministry of External Affairs almost from its very inception. Having an alliance with the Ministry the Institute had and has been addressing challenges and opportunities of national and international policy to foster inclusive yet equitable growth

and development. Further, ascending the alliance the Institute in association with Ministry of External Affairs (MEA), Branch Secretariat office Kolkata has unfurled a series of Virtual Disquisition "Connect to Reconnect" - an initiative to discern about nation's connectivity with the neighbouring and that too without bypassing legion of other issues including trade, economy, infrastructural development, tourism and sustainability.

"India – Myanmar Convergence"

The Chapter I of the Collaborative Virtual Disquisition on "India – Myanmar Convergence" was organized on 7th August-2020. The Disquisition was moderated By - Prof. Sachin Chaturvedi, Director General of Research and Information System (RIS), New Delhi

Speakers

- H.E. U Moe KyawAung- Hon'ble Ambassador of Myanmar to New Delhi
- H. E. Sri Saurabh Kumar – Hon'ble Ambassador of India to Myanmar

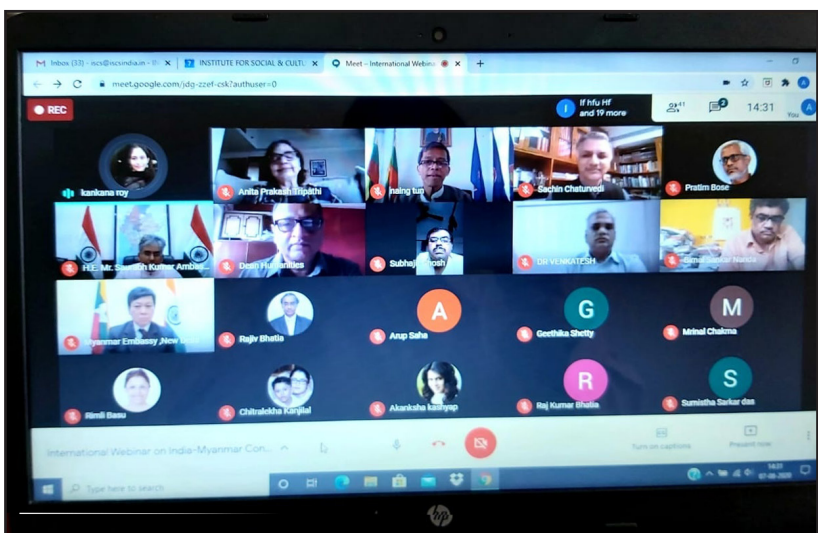
- Dr. Anita Prakash- Director Policy Relations, Economic Research Institute for ASEAN and East Asia (ERIA), Jakarta, Indonesia
- Mr. U Ba Hla Aye-Member, Myanmar Institute of Strategic and International Studies (MISIS), Myanmar
- Mr. Pratim Ranjan Bose- Researcher and Former Deputy Editor of Hindu Business Line

The Disquisition started with the inaugural address of the moderator who shared his observations on the given topic and carved up that both India and Myanmar had undertaken several

not only enhance bilateral relation but also sub regional cooperation of this region as well.

Mr. Saurav Kumar, Ambassador of India to Myanmar initiated with a positive note by identifying Myanmar as an extremely welcoming country. He said that both India and Myanmar since past enjoyed a historical and civilizational bondage and pointed out the necessity to give more importance in this relation. He thereafter explained in details the efforts taken by both the countries specially India in developing various forms of connectivity between the two countries. He emphasised the necessity of more people to people connectivity between India and Myanmar which he believed would further consolidate this relationship.

Dr. Anita Prakash, Director Policy Relations , Economic Research Institute for ASEAN and East Asia(ERIA), Jakarta, Indonesia, started her discussion by commenting that India and Myanmar shared a deep bilateral relationship which had a lot of potentiality. She added that in the backdrop of a significant political, security and economic transformation in the South East Asian region and Indo-Pacific at large , close cooperation with Myanmar became an important necessity and the completion of Trilateral Highway was pivotal to this objective. She analyzed in detail the issue of the ongoing Trilateral Highway project between India , Thailand and Myanmar and commented that successful implementation of such project would alleviate prosperity across the borders of both the countries resulting in narrowing development gap. She also added that though since 2012 Myanmar had diversified its trade relations and partnership , India's trade relation with Myanmar remained stagnant .



Organised by



**INSTITUTE OF SOCIAL AND
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In association with



**Economic Diplomacy & States Division
Ministry of External Affairs**



**Ministry of External Affairs
Branch Secretariat, Kolkata**

***International Webinar on
Connect to Reconnect
Chapter: I***



**INDIA-MYANMAR
CONVERGENCE**

AUGUST 7, 2020 (FRIDAY)
2.30- 4.00 PM (IST) / 3.30- 5.00 (MMT)

MODERATOR

Prof. Sachin Chaturvedi
*Director General, Research and
Information System (RIS), New Delhi*

SPEAKERS

H.E. U Moe Kyaw Aung
Hon'ble Ambassador of Myanmar to India

H. E. Sri Saurabh Kumar
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Dr. Anita Prakash
*Director Policy Relations, Economic Research Institute for
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Mr. U Ba Hla Aye
*Member, Myanmar Institute of Strategic and
International Studies (MISIS), Myanmar and
Former DCM of Myanmar to India*

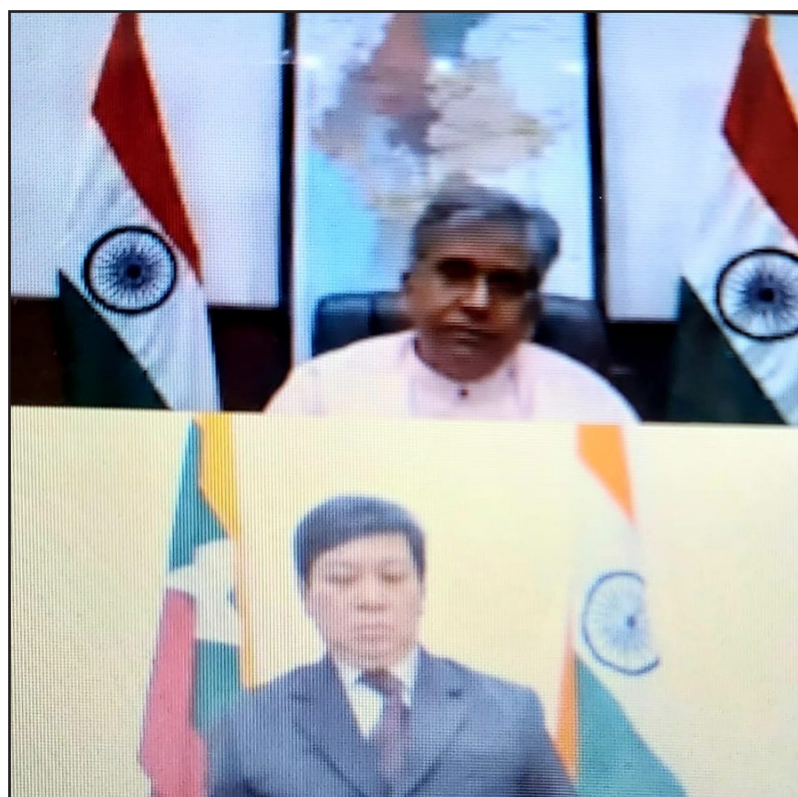
Mr. Pratim Ranjan Bose
Researcher and Former Deputy Editor, Hindu Business Line

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She opined that a single industrial and production base along the project like TLH would not only help India to overcome its stagnant trade relation with Myanmar but also provide a platform for success of several important initiatives of India, and of the region. According to her, a close and cooperative Indo- Myanmar relation would help multilateral initiatives like Asia- Africa Growth Corridor, TLH, Master Plan on ASEAN Connectivity 2025, Indo-Pacific initiative etc. . She concluded by saying that physical, institutional, and regulatory convergence, together in connection with civil society would be the key to repurposed relations.

Mr. Ba Hla Aye, Member of Myanmar Institute of Strategic and International Studies (Myanmar ISIS) focussed his discussion on the historical aspects of the Indo- Myanmar relationship . He mentioned also the importance of India's policies like the Look East , Act East , North Eastern Vision 2020 and how they were beneficial for an all-round development of India's land lock north east and Myanmar's north west region . He opined that Myanmar would always remain important for India as because it was the gateway through which India could reach south east Asia and Asia Pacific region at large. He discussed about the cultural and religious proximity between India and Myanmar and how such proximity could be used to further develop the bilateral relationship between the two countries.

Mr.Pratim Ranjan Bose, researcher and eminent columnist concentrated his presentation over the economic aspects of the Indo- Myanmar relation. He said that though Myanmar for the moment was one of the fastest growing region of the world, yet regarding the subject of trade India had gradually lost its ground in Myanmar. He opined that low foreign direct investment from India to



Myanmar, delay in completion of key connectivity project , relatively under develop border trade, complex financial system in India etc. were some of the major barriers for further development of Indo – Myanmar relations . The Disquisition also initiated a very lively discussion among the speakers and the audience that emphasised altogether in removing constraints and developing a plinth to reinforce effective policies and mechanisms towards a growth based India-Myanmar relation.

“West Bengal’s Judiciary in Face of COVID”

In order to address the Impact of the pandemic on the Judicial System of West Bengal the Institute hosted another Virtual Discourse on “West Bengal’s Judiciary in Face of COVID” on 28th August 2020. The Webinar itself turned to a ground of discussion on how the international, national as well as state’s legal forums have been functioning amid COVID situation to address the grievances of the clients. The discussion also aspired to acquaint the participants with the unfolded legal entitlements and functionalisms of New Normal in details. The Webinar was moderated by -Sr.Adv.Jayanta Kumar Mitra, Former Advocate General, Calcutta High Court.

Speakers:

- Adv Tamal Kanti Mukherjee Public Prosecutor - City Sessions Court Kolkata
- Adv Deepan Kumar Sarkar- Advocate, High Court, Calcutta and Retainer, Prison Reforms Programme, Commonwealth Human Rights Initiative (CHRI)
- Adv Arindam Mitra- Addl.Govt.Pleader(Senior Panel),Siliguri, Ex-Chairman, Siliguri Municipal Corporation, Honorary Lecturer, Indian Institute of Legal Studies.

- Adv Shayak Chakraborty- Advocate,Calcutta High Court

Mr.Jayanta Kumar Mitra in his introductory speech set the tone of the webinar where he narrated the impact of the Covid 19 pandemic



over the judicial system and how judiciary through adapting new technology was trying to make the justice delivery system once more operational.

Mr. Tamal Mukherjee , Public Prosecutor, City Sessions Court, Kolkata, in his presentation pointed out the limitation of the virtual hearing in the court due to inadequate technological and communicational infrastructure.

Mr. Deepan Kumar Sarkar, High Court, Calcutta and the Retainer, Prison Reforms Programme, Commonwealth Human Right Initiative,




in his deliberation meaningfully discussed how virtual hearing was associated with the issue of inequality and suggested certain steps like adequate funding from the state government to build up a proper technological infrastructural platform for effective virtual hearings as also to start physical hearing in a phased manner thereby making justice delivery system effectively operational.

Mr. Arindam Mitra , Additional Government Pleader(Senior Panel) , Siliguri , in his presentation narrated the pitiable condition of the judicial system in North Bengal as a result of the Pandemic . He pointed out a recent trend that had emerged within the judicial system where litigants due to the delay in deliverance of justice were settling their issues through out of court settlement formula.

Mr. Shayak Chakrabarty , Advocate , High Court, Calcutta, critically estimated the role of judiciary during the ongoing global pandemic. In his presentation he not only pointed out the positive aspects of virtual hearing but also highlighted the acute problems the judiciary was facing in getting accustomed with the new technology.

Ms. Jas Uppal an eminent Jurist, in her precise deliberation opined that the right to access to justice, being a fundamental human right ,the denial of which was not desirable and must be adhered to. She said that virtual hearing could effectively solve the huge backlog of cases in Indian judiciary .She stressed on the necessity of building a well-drawn internet facility system for effective virtual hearing and urged young lawyers to make the litigants more technologically literate.



INSTITUTE OF SOCIAL AND CULTURAL STUDIES

WEST BENGAL'S JUDICIARY IN FACE OF COVID

**AUGUST 28, 2020
5.30-7.00 PM (IST)**

Moderator
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Barrister-at-law and Senior Advocate

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